

KATE McKENNA, AICP
Executive Officer

MINUTES OF THE
LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY
Adopted on October 27, 2008

An audio recording of this meeting is available at the LAFCO office. Please contact us at (831) 754-5838 to arrange a time to listen or to order a copy.

Regular Meeting

Monday, September 22, 2008, 4:00 p.m.

Board of Supervisors Chambers
Monterey County Government Center
168 West Alisal, First Floor
Salinas, California

The meeting of the Local Agency Formation Commission (LAFCO) of Monterey County was called to order, by Chair DiMaggio at 4:03 p.m. in the Monterey County Board of Supervisors Chambers. Chair Donohue led the Pledge of Allegiance.

ROLL CALL

Members Present

Commissioner Donohue, Chair (*City Member*)
Commissioner Salinas, Vice-Chair (*County Member*)
Commissioner DiMaggio (*Public Member*)
Commissioner Calcagno (*County Member*)
Commissioner McGowan (*Special District Member*)
Commissioner Perkins (*Special District Member*)
Commissioner Rubio (*City Member*)

Members Not Present, Presence Not Required

Commissioner Armenta, Alternate (*County Member*)
Commissioner Darington, Alternate (*Public Member*)
Commissioner Gourley, Alternate (*City Member*)

Staff Present

Kate McKenna, AICP, Executive Officer
Thom McCue, AICP, Senior Analyst
Leslie Girard, LAFCO General Counsel
Richard Egger, LAFCO Special Counsel – Via Telephone for Closed Session
Rachelle Jones, LAFCO Clerk

Item 4: Closed Session

4.a Pursuant to Government Code Section 54956.9 (b) – Significant Exposure to Litigation

The Commission Conferred with General Counsel Regarding One Matter Involving a Significant Exposure to Litigation.

The meeting was called into closed session by Chair Donohue.

Chair Donohue reconvened the meeting from closed session at approximately 4:45 p.m.

Item 5: Report Any Action Taken During Closed Session

There was no reportable action taken during closed session.

Item 6: Minutes

6.a Approval of Minutes of the August 21, 2008 Regular LAFCO Meeting.

There was no public comment for this item.

Commissioner Comment and Action

Commissioner Rubio requested changes be made to the draft minutes of August 21, 2008 including: replacing the word “Chair” with the word “Commissioner” where necessary, and clarification on the motion for the Carmel Valley Incorporation status report to show that the report was “accepted” and not “approved”.

Upon Motion of Commissioner DiMaggio, seconded by Commissioner Salinas, minutes of the August 21, 2008 regular LAFCO meeting, were unanimously approved, with changes requested by Commissioner Rubio.

Item 7: Public Comment:

Bill Carrothers of Salinas spoke against development on farmland particularly during an economic downturn. He provided information about decreasing property values in Merced and Monterey counties.

Item 8: Commissioner Comment:

None

Item 9 (a-e): Consent Agenda:

There were no public or Commission comments for this item.

Upon Motion of Commissioner Salinas, seconded by Commissioner Perkins, Consent Agenda Items (a-e): Register of Checks Paid in August 2008, Legislation Status Report, List of Anticipated Future Agenda Item, 2009 Schedule of Regular Meetings, and Report on the 2008 Annual CALAFCO Conference, were unanimously approved.

Item 10: Old Business

10.a Consider Status Report on the Carmel Valley Incorporation Proposal and Provide any Appropriate Action to Staff. (LAFCO File No. 03-10)

Executive Officer McKenna provided staff report. Counsel Girard summarized the report on his legal opinion concerning boundary issues.

Chair Donohue opened this item for public comments.

Public Comments

Frank Lunding, Attorney and President of Planning 20/20, said that he would agree to a special public hearing in November solely on the boundary issue.

Chair Donohue closed this item to public comments.

Commissioner Comments and Action

Commissioner Calcagno requested clarification from Counsel Girard on whether or not, based on the settlement agreement, the Commission must act on the Carmel Valley Incorporation Proposal by December 1. Counsel Girard said he would provide that clarification by the October 27 meeting. Commissioner Calcagno said that if action must be taken by December 1, then he would like a special meeting to be held prior to that discussing boundary decisions. Counsel Girard said that the Commission could request that a matter be noticed on next month's agenda to consider the option.

Upon Motion of Commissioner Salinas, seconded by Commissioner DiMaggio, Status Report on the Carmel Valley Incorporation Proposal. (LAFCO File No. 03-10), was unanimously accepted.

Item 11: Public Hearings

11.a Consideration of the Proposed “Marina Station” Sphere of Influence Update, and Annexation of Approximately 325 Acres of the Armstrong Ranch Property on Both Sides of Del Monte Boulevard Within the Northern Portion of the City of Marina to the Marina Coast Water District and the Monterey Regional County Sanitation District (Monterey Regional Water Pollution Control Agency). Marina Station is a City-Approved Mixed Use Development Including 1,360 Residential Units, General Office and Industrial Uses. (LAFCO File 06-06)

Senior Analyst McCue provided staff report.

Chair Donohue opened this item for public comments.

Public Comments

Bill Carrothers said that he supports the project however he has concerns about the state of the economy. Hans Jongens agreed with Bill Carrothers regarding the economy and requested that the County not provide funding to developers.

Chair Donohue closed this item to public comments.

Commission Comment and Action

Commissioner Calcagno requested that zone 2-C be included as part of this project.

Upon Motion of Commissioner DiMaggio, seconded by Commissioner Salinas, The following Resolutions: Findings of Fact and a Statement of Overriding Considerations in Reliance on the Environmental Impact Report for the Marina Station Specific Plan - CEQA, Sphere of Influence Update and Annexation with conditions, and Waiver of Conducting Authority Protest Proceedings for the “Marina Station” Sphere of Influence Update, and Annexation of Approximately 325 Acres of the Armstrong Ranch Property on Both Sides of Del Monte Boulevard Within the Northern Portion of the City of Marina to the Marina Coast Water District and the Monterey Regional County Sanitation District (Monterey Regional Water Pollution Control Agency). (*LAFCO File 06-06*), were unanimously approved.

11.b Consideration of the Proposed “Cornnuts Annexation” Involving the Annexation of Approximately 52.49 Acres to the City of Greenfield and the Detachment of This Area from the Resource Conservation District of Monterey County. The Area, Northwest of Central Greenfield, is Roughly Bounded by Cherry Avenue on the North, Walnut Avenue on the South, 10th Street on the East, and 12th Street on the West. The “Monte Verde” and “Las Brisas” subdivisions, Totaling Approximately 192 Residential Units, are Proposed for Approximately 25 Acres of the Area. (*LAFCO File 08-03*)

Senior Analyst McCue provided staff report.

Chair Donohue opened this item for public comment.

Public Comment

Loreen Whitney, representing the Lovelace family trust, protested inclusion of the ten acre parcel: APN #109-117-001 to the proposed Cornnuts annexation area. Geary Coats of Coats Consulting, representing the fifteen acre area owned by Andrew Ausonio and Mike Foletta, spoke in favor of the proposed annexation. Cliff Kilpatrick, representing Bolthouse Farms, protested inclusion of the Lovelace parcel to the proposed Cornnuts annexation area. Norman Braga, spoke in favor of the proposed annexation. Mark Blohm, representing Kraft Foods, spoke in favor of the proposed annexation. Hans Jongens, spoke in opposition to this proposed annexation and development on any farmland. John Huerta, Mayor City of Greenfield, requested the Commission approve the proposed annexation.

Chair Donohue closed this item to public comments.

Commission Comment and Action

Commission discussed continuance of the proposed Cornnuts annexation in order to allow time for the City of Greenfield and the opposing property owners to reach an agreement regarding of the ten acre parcel: APN #109-117-001.

Upon Motion of Commissioner Calcagno, seconded by Commissioner Salinas, “Cornnuts Annexation” Involving the Annexation of Approximately 52.49 Acres to the City of Greenfield and the Detachment of This Area from the Resource Conservation District of Monterey County. (*LAFCO File 08-03*), was unanimously continued to the next regular LAFCO meeting to be held on Monday, October 27, 2008.

Item 10: Executive Officer’s Report

There were no additional items to report.

Item 11: Correspondence

Executive Officer McKenna provided report on a workshop being held on October 3 at CSUMB campus regarding the future of agriculture with Chair Donohue as moderator of the workshop.

Item 12: Adjournment

On motion of Chair Donohue, there being no objection, the meeting was unanimously adjourned at 6:40 p.m. to the next regular LAFCO Meeting to be held to be held on Monday, October 27, 2008 at 4:00 p.m. in the Board of Supervisors Chambers, 168 W. Alisal St., First Floor, Salinas, California

Respectfully Submitted,

Rachelle Jones
LAFCO Clerk